



BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

**Application for Registration License**

**FILED**

11/08/22

04:59 PM

**A2211011**

**1 Application of**

**Kloud Communications Inc.**

for Registration as an Interexchange Carrier  
Telephone Corporation Pursuant to the  
Provisions of Public Utilities Code Section 1013.

(Insert the full legal name of applicant in blank above;  
see instruction 1)

Street address:

**919 North Market Street**

**Suite 950**

**Wilmington, Delaware 19801**

Telephone: **(213-996-1998)** Fax No.: **(213-996-1990)**

E-Mail: **jim.chiu@kloudcomm.com**

**1.A. List all fictitious business names under which  
applicant has done business in the last five years:**

**VTX Telecom**

**VTX Solution**

**VTX Wireless**

**Vertex Telecom**

**Dynasky**

**2 Applicant is:**  
(Check only one; see  
instruction 2.)

**A corporation (attach good standing certificate)**

☒

A limited partnership (attach good standing certificate)

☐

A limited partnership (attach good standing certificate)

☐

A limited liability company (attach good standing  
certificate)

☐

A general partnership

☐

A sole proprietor

☐

A trust

☐

Other (describe)

☐

	<p><i>Attach name, street address, and telephone number of applicant's registered agent for service of process.</i></p> <p><i>Attach list of the names, titles, and street addresses of all officers and directors, general partners, trustees, members, or other persons authorized to conduct the business of applicant at a similar level.</i></p> <p><i>Attach resumes listing all employment for each officer and director.</i></p> <p><i>Attach list of all affiliated entities (see instruction 2)</i></p>
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3 Legal domicile of applicant is:	California	<input type="checkbox"/>
	Other (identify): <b>Delaware</b>	<input checked="" type="checkbox"/>
(Check only one; see instruction 3.)		

4 Applicant will operate as:	<b>Switchless reseller</b>	<input checked="" type="checkbox"/>
	Facilities-based carrier	<input type="checkbox"/>
(Check only one; see instruction 4.)		

5 Applicant will provide service:	<b>Statewide</b>	<input checked="" type="checkbox"/>
	In specific portions only (attach description and map)	<input type="checkbox"/>
(Check only one; see instruction 5.)		

6 Applicant <u>expects to</u> begin offering service in California on:	<b>DATE</b>
	<b>September 17, 2021</b> ( date)

7 Applicant will provide: voice and data telecommunications only	<b>True</b>	<input checked="" type="checkbox"/>
	Not true	<input type="checkbox"/>
(Check only one; see instruction 6.)		

8 Neither applicant, any of its affiliates, officers, directors,	<b>True</b>	<input checked="" type="checkbox"/>
	Not true	<input type="checkbox"/>
<p>partners, agents, or owners (directly or indirectly) of more than 10% of applicant, or anyone acting in a management capacity for applicant: (a) held one of these positions with a company that filed for bankruptcy; (b) been personally found liable, or held one of these positions with a company that has been found liable, for fraud, dishonesty, failure to disclose, or misrepresentations to consumers or others; (c) been convicted of a felony; (d) been (to his/her knowledge) the subject of a criminal referral by judge or public agency; (e) had a telecommunications license or operating authority denied, suspended, revoked, or limited in any jurisdiction; (f) personally entered into a settlement, or held one of these positions with a company that has entered into settlement of criminal or civil claims involving violations of sections 17000 et seq., 17200 et seq., or 17500 et seq. of the California Business &amp; Professions Code, or of any other statute, regulation, or decisional law relating to fraud, dishonesty, failure to disclose, or misrepresentations to</p>		

consumers or others; (g) been found to have violated any statute, law, or rule pertaining to public utilities or other regulated industries; or (h) entered into any settlement agreements or made any voluntary payments or agreed to any other type of monetary forfeitures in resolution of any action by any regulatory body, agency, or attorney general. (Check only one; see instruction 2.)

If your answer to this question is anything other than an unqualified 'True', please attach documentation and describe any such bankruptcies, findings, judgments, convictions, referrals, denials, suspensions, revocations, limitations, settlements, voluntary payments or any other type of monetary forfeitures.

**9** To the best of applicant's knowledge,

**True**  
Not true

X  
☐

neither applicant, any affiliate, officer, director, partner, nor owner of more than 10% of applicant, or any person acting in such capacity whether or not formally appointed, is being or has been investigated by the Federal Communications Commission or any law enforcement or regulatory agency for failure to comply with any law, rule or order. (Check only one; see instruction 2.)

If your answer to this question is anything other than an unqualified 'True,' please attach documentation and describe all such investigations, whether pending, settled voluntarily or resolved in another manner.

**10** Applicant will obtain a continuous bond, issued

**True (attach documentation)**  
Not true

X  
☐

by a corporate surety company authorized to transact surety business in California, in the amount of \$25,000 that will be in effect during all periods of operation, and lists the California Public Utilities Commission as the obligee. Applicant will submit an Information-Only advice letter to the Director of the Communications Division containing a copy of the Applicant's executed bond within five business days after the effective date of the issuance of a registration license. (Check only one; see instruction 8.)

**11** Applicant has a minimum of (a) \$25,000 in

**True (attach documentation)**  
Not true

X  
☐

the case of a switchless reseller OR (b) \$100,000 in the case of a facilities based applicant, in each case reasonably liquid and available to meet the firm's first-year expenses, including deposits required by local exchange carriers or interexchange carriers or (c) has profitable interstate operations to generate the required cash flow. (Check only one; see instruction 9.)

**12** Applicant has the required expertise to

**True**  
Not true

X  
☐

operate as an interexchange carrier of the type indicated in the application.

13 Applicant is eligible for an exemption from	<b>True</b>	<input checked="checked" type="checkbox"/>
	Not true	<input type="checkbox"/>
tariffing requirements as set out in Commission Decision 98-08-031 and seeks such an exemption. (Check only one; see instruction 10.)		

I hereby declare under penalty of perjury under the laws of the State of California that the forgoing information, and all attachments are true, correct, and complete to the best of my knowledge and belief after due inquiry, and that I am authorized to make this application on behalf of the applicant named above.

Signed:

  
 Name **Jim Chiu**  
 Title **Founder and President**  
 Dated **November 8, 2022**

**Street**      **168 W Pomona Ave.**

**Address**      **Monrovia, CA 91016**

**Telephone**    **213-996-1998**

**Fax**            **213-996-1990**

**E-mail**        **[jim.chiu@kloudcomm.com](mailto:jim.chiu@kloudcomm.com)**

**Principal Place of Business (if different from address on page 1).**

**Street Address** **168 W Pomona Ave.**

**City** **Monrovia**

**State** **California**

**Zip**    **91016**

**Phone No.** **213-996-1998**

## **LIST OF EXHIBITS**

**EXHIBIT A – CALIFORNIA CERTIFICATE OF GOOD STANDING**

**EXHIBIT B- DELAWARE CERTIFICATE OF GOOD STANDING**

**EXHIBIT C – REGISTERED AGENT**

**EXHIBIT D – COMPANY OFFICERS**

**EXHIBIT E – MANAGEMENT EXPERIENCE**

**EXHIBIT F – LIST OF AFFILIATED ENTITIES**

**EXHIBIT G – FINANCIAL INFORMATION**

**EXHIBIT H–NARRATIVE**

**Exhibit A**

**California Certificate of Good Standing**



## Secretary of State Certificate of Status

I, SHIRLEY N. WEBER, Ph.D., Secretary of State of the State of California, hereby certify:

**Entity Name:** KLOUD COMMUNICATIONS INC.  
**File Number:** C4775232  
**Registration Date:** 08/09/2021  
**Entity Type:** FOREIGN STOCK CORPORATION  
**Jurisdiction:** DELAWARE  
**Status:** ACTIVE (GOOD STANDING)

As of August 11, 2021 (Certification Date), the entity is qualified to transact intrastate business in California.

This certificate relates to the status of the entity on the Secretary of State's records as of the Certification Date and does not reflect documents that are pending review or other events that may affect status.

No information is available from this office regarding the financial condition, status of licenses, if any, business activities or practices of the entity.



**IN WITNESS WHEREOF**, I execute this certificate and affix the Great Seal of the State of California this day of August 12, 2021.

**SHIRLEY N. WEBER, Ph.D.**  
**Secretary of State**

**Certificate Verification Number:** Z2WAPKY

To verify the issuance of this Certificate, use the Certificate Verification Number above with the Secretary of State Certification Verification Search available at [bebizfile.sos.ca.gov/certification/index](https://bebizfile.sos.ca.gov/certification/index).



# Secretary of State

## Certificate of Status

I, SHIRLEY N. WEBER, PH.D., California Secretary of State, hereby certify:

<b>Entity Name:</b>	KLOUD COMMUNICATIONS INC.
<b>Entity No.:</b>	4775232
<b>Registration Date:</b>	08/09/2021
<b>Entity Type:</b>	Stock Corporation - Out of State - Stock
<b>Formed In:</b>	DELAWARE
<b>Status:</b>	Active

The above referenced entity is active on the Secretary of State's records and is qualified to transact intrastate business in California.

This certificate relates to the status of the entity on the Secretary of State's records as of the date of this certificate and does not reflect documents that are pending review or other events that may impact status.

No information is available from this office regarding the financial condition, status of licenses, if any, business activities or practices of the entity.



**IN WITNESS WHEREOF**, I execute this certificate and affix the Great Seal of the State of California this day of September 29, 2022.

**SHIRLEY N. WEBER, PH.D.**  
Secretary of State

**Certificate No.:** 048866133

To verify the issuance of this Certificate, use the Certificate No. above with the Secretary of State Certification Verification Search available at [bizfileOnline.sos.ca.gov](http://bizfileOnline.sos.ca.gov).



**Exhibit B**

**Delaware Certificate of Good Standing**

# Delaware

The First State

Page 1

*I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "KLOUD COMMUNICATIONS INC." IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE THIRD DAY OF OCTOBER, A.D. 2022.*

*AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL REPORTS HAVE BEEN FILED TO DATE.*

*AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "KLOUD COMMUNICATIONS INC." WAS INCORPORATED ON THE TWENTY-NINTH DAY OF JULY, A.D. 2021.*

*AND I DO HEREBY FURTHER CERTIFY THAT THE FRANCHISE TAXES HAVE BEEN PAID TO DATE.*



A handwritten signature of Jeffrey W. Bullock in black ink, written over a horizontal line. Below the line, the text "Jeffrey W. Bullock, Secretary of State" is printed.

6128050 8300

SR# 20223679812

You may verify this certificate online at [corp.delaware.gov/authver.shtml](http://corp.delaware.gov/authver.shtml)

Authentication: 204535287

Date: 10-03-22

**Exhibit C**

**Registered Agent**

**Exhibit C**

**Registered Agent**

**Registered Agent**

Jim Chiu  
168 W Pomona Ave,  
Monrovia, CA 91016  
Phone: 213-996-1998  
Email: [jim.chiu@kloudcomm.com](mailto:jim.chiu@kloudcomm.com)

**Exhibit D**

**Company Officers**

**Exhibit D**

**Company Officers**

**Jim Chiu**-Founder and President, Kloud Communications Inc.

**Alice Ching**-Vice President, Product and Marketing, Kloud Communications Inc.

**Exhibit E**

**Management Experience**



## **Jim Chiu**

### **Serial Entrepreneur Executive Bio**

Jim Chiu is the Founder and President of Kloud Communications, a cloud communication solution provider through the brand VTX Telecom.

Chiu brings over 30 years of experience in the information technology and telecommunications industry, with solid competencies and track records ranging from establishing new startups, creating disruptive business models and product roadmap, spearheading merger & acquisition transactions in the telecom space.

In November 1995, Jim successfully co-founded Vertex Telecom and served as President. In this role, Chiu established and oversaw all long-range goals, objectives, plans and policies including strategic alliances and maximizing operations. While presiding over Vertex, the company experienced tenfold growth each year from 1996 to 1998 and grew by 200% in 1999 in the prepaid services sector. In 2016, Vertex was sold to a publicly traded entity where Jim remained as President. At the same time, Jim spearheaded the acquisition of Giggle Fiber, a local broadband and cable company in the City of Arcadia and Monrovia, where he also led the company as President through 2021 until it was sold to a private equity firm.

A further testament of Jim's leadership position in the telecom sector, he served as the Chairman of the Board of Directors for the Texas-based ETS Telephone Company, Inc. dba En-Touch System from 2017 to 2020, restructure the company and lead the sale of the company to a leading private equity firm. Jim also served as board of director for the Canada-based Urban Communications, Inc. dba Urban Fiber from 2017 to 2019.

An innovator with deep experience in telecom, Jim founded a successful web-based company Bigzoo.com in the late 90's, offering cloud-based unified communication services which took the prepaid telecom industry by storm. Bigzoo.com was the first rechargeable prepaid long distance calling service sold online, offering low domestic and international calling, eliminating the cost of distribution channels. The company was successfully sold within 18 months of inception.

While at Vertex, Jim also acted as CFO and VP of Product Development at Vertex. His vision and leadership guided the company to become the largest Chinese American telecom carrier, with solid network infrastructure and financial foundation. Single handedly, Jim negotiated wholesale and carrier interconnection agreements with major international and domestic carriers. While resources were shared and developed into product offerings targeting different niche market segments, strong brand equities and distribution channels were built in separate





categories. To provide cost effective 24/7 customer service by leveraging on the existing network resources, Jim also established Callworx in 1999, a call center joint venture in the Philippines, offering BPO services to DynaSky, VTX and other clients. As a result, Callworx was successfully sold for profit in 2007.

Under Jim's management, DynaSky prepaid services became the most popular prepaid telecom household brand sold through 2,200 nationwide retailers, including the largest Chinese supermarket chain, Tawa Ranch 99 Supermarket, as its exclusive prepaid telecom product.

The company formed a separate business unit in 2007, VTX Telecom, and began offering data, IP PBX services, colocation, and integrated services to Asian American enterprises. The client portfolio includes EVA Airway, China Airline, Ranch 99 Supermarket, Taiwan Mobile, TP-Link, Globe Telecom, and major Chinese TV broadcasters such as ETTV America and CTI TV etc. Five years after the sale of Vertex, in 2021, Jim structured a management buyout of Vertex's asset and formed a separate entity, Kloud Communications Inc. and hired back the Vertex employees. VTX Telecom is now operating in full steam, getting ready to set a new milestone with its cloud communication offerings.

As a true entrepreneur, a series of building, leading, acquiring and selling of companies were orchestrated by Jim. Aside from the organic growth of Vertex, Chiu also extended the company's footprint in Asia by completing the acquisitions of China Railway NetSol Technologies & Development Co. Ltd., and two Tier-2 telecom companies in Taiwan.

Jim was listed in Who's Who among Asian Americans by Gale Research, Inc. Jim received a Bachelor of Science from the University of Southern California.





**Alice Ching**  
**Vice President, Product & Marketing, Kloud Communications, Inc.**

Alice Ching is the Vice President of Product & Marketing of Kloud Communications, a cloud communication solution provider through the brand VTX Telecom.

With over 30 years of solid Marketing, Public Relations, and strategic planning experience from top worldwide agencies, Alice joined Vertex in 2003 as the Vice President of Marketing & Public Relations. As a seasoned communication strategist, Alice oversaw all online, offline marketing, website development and product management for Vertex and all its affiliated brands such as VTX Telecom and DynaSky for almost two decades. Alice remained on the executive management team throughout the different corporate acquisitions. During Dr. Peng Telecom & Media Group's acquisition of Vertex Telecom in 2016, Alice's role was transitioned to Vice President of Strategy and was put in charge of strategic investment projects, product management and corporate branding. Privileged to have worked closely with a team of developers and engineers, Alice is well versed in digital marketing, search engine optimization, affiliate marketing, and app development processes and has accumulated a wealth of knowledge in cloud communications technology and concepts.

Prior to joining Vertex, Alice held the position of Director of Interactive Services and Public Relations at Intertrend Communications Inc. She was responsible for PR strategic development and providing e-consulting services such as information architecture, website development, and overall integrated marketing consulting to help clients reaching the Asian American communities. Clients included Western Union, Verizon, Toyota, Sempra Energy, JCPenney, State Farm Insurance and Pala Casino.

Before returning to the United States in late 2000, Alice was the Vice President of Edelman Public Relations Worldwide (Hong Kong), a globally top-ranked PR firm, where she spearheaded a team of communications professionals, providing a comprehensive range of public relations consulting services and crisis management training to clients and overall management of the consultancy. While at Edelman, she oversaw PR programs, as well as web content development projects for New World Telecommunications, HBO Asia, United Parcel Service, British American Tobacco, Johnson & Johnson, Vidal Sassoon Greater China, USANA, and Remy.

Prior to joining Edelman in early 1999, Alice was Director at Hill and Knowlton Taiwan, ranked top three PR firm in the world, where she developed and oversaw local and regional communications programs for a diverse range of clients, including Procter & Gamble, HBO

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Asia, Warner Village, Columbia TriStar International Television, 3M, Hermès, R.J. Reynolds Tobacco International, Gigamedia, and an award-winning product launch campaign for FarEastone Telecommunications.

Born in Taiwan, raised in Southern California, Alice is a true fusion of Southern Californian characteristics and Chinese heritage. She enjoys outdoors sports such as swimming, snorkeling, and hiking, and enjoys traveling, music, oil painting, and health-supportive culinary art. A bilingualist, Alice holds a Bachelor of Science in Business Administration from the University of Southern California.



**Exhibit F**

**List of Affiliated Entities**

## **Exhibit F**

### **List of Affiliated Entities**

Kloud Communications Inc. does not have any affiliates.

**Exhibit G**

**Financial Information**

REDACTED

[Filed Under Seal Pursuant to Decision 97-09-035]

(Confidential Envelopes Provided)

## **Exhibit G**

### **Financial Information**

Kloud is a small privately-held company with a relatively limited operating history and therefore does not have audited financial statements, but provides comparable unaudited financial information.

**Exhibit H**

**Narrative**





November 8, 2022

Risa Hernandez, Program Manager  
Communications Division  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102

**Re:** 1013 License Registration Application  
Citation No. CD-2022-09-025

Dear Ms. Hernandez:

On September 17, 2021, Vertex Telecom ("Vertex"), a registered provider of interconnected VoIP services transferred its California customers and operations to Kloud Communications, Inc. ("Kloud"). As of that date, Kloud acquired Vertex's operations and customers. Kloud ensured that this transaction was totally transparent and did not affect in anyway the customers it acquired. Kloud continued to provide services under the same "Vertex" dba and Vertex's personnel and operations remained in place in all material aspects, including website, customer service, billing, and provisioning. In addition, Kloud provided the Vertex-contracted customers with a seamless transition with their services at the same rates, terms, and conditions as previously provided by Vertex.

In the winding down of Vertex, there was an oversight in filing a registration for Kloud with the California Public Utilities Commission ("CPUC"). In addition, Vertex recently received Citation No. CD-2022-09-025. At this time, in the interest of transparency, candor, and remedying this oversight, Kloud is submitting this registration.

In addition, Kloud seeks review of its 1013 License Registration Application on a *nunc pro tunc* basis and grant Kloud's registration as of the date it began providing service, September 17, 2021. During the pendency of this registration, Kloud will continue to provide services consistent with the manner that Vertex provided services and will otherwise comply with all requirements of the CPUC.

Regards,

  
\_\_\_\_\_  
Founder and President  
Kloud Communications, Inc.

**Kloud Communications Inc.**  
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